

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

MONSANTO COMPANY and  
MONSANTO TECHNOLOGY LLC,

Plaintiffs,

vs.

E.I. DUPONT DE NEMOURS AND  
COMPANY and  
PIONEER HI-BRED INTERNATIONAL,  
INC.,

Defendants.

Case No. 4:09-cv-00686-ERW

### **CONSENT MOTION FOR EXTENSION OF TIME**

Plaintiffs, Monsanto Company and Monsanto Technology LLC (collectively “Monsanto”), respectfully move for an extension of time, to and including Friday November 19, 2010, within which Monsanto shall file and serve Monsanto’s reply memorandum in support of Monsanto’s Motion to Dismiss Certain Antitrust and Patent Counterclaims and/or to Strike Certain Patent Affirmative Defenses (Dckt. # 334).

In support of this motion, Monsanto states that the requested extension is not being advanced for purposes of unnecessary delay, that the requested extension will not impact on the scheduling of this matter. Counsel for Monsanto has conferred with counsel for Defendants, who have consented to the requested extension.

Dated: November 16, 2010

Respectfully submitted,

HUSCH BLACKWELL LLP

By: /s/ Joseph P. Conran.  
Joseph P. Conran, E.D.Mo. # 21635MO  
joe.conran@huschblackwell.com  
Omri E. Praiss, E.D.Mo. # 41850MO  
omri.praiss@huschblackwell.com  
Greg G. Gutzler, E.D.Mo. # 48893MO  
greg.gutzler@huschblackwell.com  
Tamara M. Spicer, E.D.Mo. # 54037MO  
tamara.spicer@huschblackwell.com  
Steven M. Berezney, E.D.Mo. # 56091MO  
steve.berezney@huschblackwell.com  
190 Carondelet Plaza, Suite 600  
St. Louis, MO 63105  
(314) 480-1500 – telephone  
(314) 480-1505 – facsimile

WINSTON & STRAWN LLP  
Dan K. Webb  
dwebb@winston.com  
George C. Lombardi  
glombardi@winston.com  
Todd J. Ehlman  
tehlman@winston.com  
James M. Hilmert  
jhilmert@winston.com  
35 W. Wacker Drive, Suite 4200  
Chicago, IL 60601  
(312) 558-5600 – telephone  
(312) 558-5700 – facsimile

John J. Rosenthal  
jrosenthal@winston.com  
Matthew A. Campbell  
macampbell@winston.com  
Jovial Wong  
jwong@winston.com  
1700 K Street, N.W.  
Washington, DC 20006  
(202) 282-5000 – telephone  
(202) 282-5100 – facsimile

Gail J. Standish  
gstandish@winston.com  
333 South Grand Avenue  
Los Angeles, CA 90071-1543  
(213) 615-1700 – telephone  
(213) 615-1750 – facsimile

MCDERMOTT WILL & EMERY  
Steven G. Spears  
sspears@mwe.com  
Scott W. Clark  
sclark@mwe.com  
1000 Louisiana Street, Suite 3900  
Houston, TX 77002-5005  
(713) 653-1700 – telephone  
(713) 739-7592 – facsimile

COVINGTON & BURLING LLP  
Kurt G. Calia  
kcalia@cov.com  
1201 Pennsylvania Avenue, NW  
Washington, DC 20004-2401  
(202) 662-6000 – telephone  
(202) 662-6291 – facsimile

ARNOLD & PORTER LLP  
Anthony J. Franze  
anthony.franze@aporter.com  
555 Twelfth Street, N.W.  
Washington, DC 20004  
(202) 942-5000 – telephone  
(202) 942-5999 – facsimile

*Attorneys for Plaintiff Monsanto Company and  
Monsanto Technology LLC*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 16th day of November, 2010 the foregoing was filed electronically with the Clerk of the Court for the United States District Court Eastern District of Missouri, Eastern Division, and served by operation of that Court's electronic filing system upon the following counsel of record:

Andrew Rothschild, Esq.  
C. David Goerisch, Esq.  
Lewis, Rice & Fingersh, L.C.  
500 N. Broadway, Suite 2000  
St. Louis, MO 63102

Leora Ben-Ami, Esq.  
Thomas F. Fleming, Esq.  
Christopher T. Jagoe, Esq.  
Howard S. Suh, Esq.  
Kaye Scholer LLP  
425 Park Avenue  
New York, NY 10022

Donald L. Flexner, Esq.  
Boies, Schiller & Flexner LLP  
575 Lexington Avenue, 7th Fl.  
New York, NY 10022

James P. Denvir, Esq.  
Amy J. Mauser, Esq.  
Boies, Schiller & Flexner LLP  
5301 Wisconsin Avenue, N.W.  
Washington, D.C. 20015

*Attorneys for Defendants*

/s/ Joseph P. Conran .